

Remarks

Status of the Claims

- Claims 1-6 and 8-17 are pending in the Application after entry of this amendment.
- Claims 6-24, 27 and 28 are rejected by Examiner.
- Claims 1, 2, and 6 are amended by Applicant.
- Claims 18-28 are newly cancelled by Applicant.

Allowable Subject Matter

Applicant thanks the Examiner for the identification of allowable subject matter in Claims 1-5 and 13-17.

Claim Amendments

Applicant amends Claim 1 to include the clarifying aspects of capturing said multicast data packets by said first user device, if said second user device is in said already established unicast session between said second user device and said intermediate device. This aspect finds support in the Specification on page 7 lines 6-12.

Claim 1 is also amended to include the aspect that a unicast session is established between said first user device and said intermediate device and switching to normal mode and processing multicast data packets by said first user device, if one of a) said second user device is not in said already established unicast session and b) said first user device is no longer in a coverage area for receiving transmissions between said second user device and said intermediate device. This aspect can be found in the specification on page 4 lines 20-22.

Claim 2 is amended to include the step of testing, derived from Claim 1, to determine if said second user device is still active.

Claim 6 is amended to include the steps from Claim 7 as well as related conditional aspects from page 10 line 31 to page 11 line 6 of the Specification.

Applicant submits that no new matter has been added as a result of these amendments.

Claim Rejections Pursuant to 35 U.S.C. §103

Claims 6, 8, 18, 20 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Carrel et al. (U.S. Patent Serial No. 7,269,182), hereinafter referred to as “Carrel”, in view of Eyuboglu et al. (U.S. Patent Publication No. 2003/0026240) hereinafter referred to as “Eyuboglu”. Applicant respectfully traverses the rejection.

Carrell discusses multicast operations using point to point protocol over Ethernet. Eyuboglu discusses access terminals going into a sleep mode after a period of inactivity. In a sleep mode, an access terminal wakes up every 5.12 seconds to monitor for unicast data in a specific Control Channel Cycle. If there is unicast data, the access terminal wakes up and initiates a communication with a Packet Data Sensing Node. Also, when an access terminal initiates a multicast transmission, the access terminal transitions to its monitor state, where it remains for the duration of the multicast session.

However, the combination of Carell and Eyugoglu fails to discuss the amended Claim 6 aspects of testing to determine if a wake-up message is received from said dedicated terminal; if said wake-up message is received, continuing to receive multicast data packets via said already established unicast session, and if said wake-up message is not received, selecting another dedicated terminal by said intermediate device with which said intermediate

device establishes a new unicast session; and processing said multicast data packets by said dedicated terminal.

The combination of Carrell and Eyugoglu do not teach or suggest operations as in amended Claim 6. Accordingly, since all elements of Claim 6 are not represented in the combination of the cited references, then the cited references cannot render obvious amended Claim 6 under 35 USC §103(a).

Applicant respectfully requests reconsideration and withdrawal of the rejection of Claims 6 and 8 based on the above amendment and remarks.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable under 35 U.S.C. § 103(a) as being unpatentable over Carrel et al. (U.S. Patent Serial No. 7,269,182), hereinafter referred to as "Carrel", in view of Eyuboglu et al. (U.S. Patent Publication No. 2003/0026240) hereinafter referred to as "Eyuboglu" in further view of Chow et al. (U.S. Patent Publication No. 2003/0053434) hereinafter referred to as "Chow". Applicant respectfully traverses the rejection.

Claim 9 is dependent on amended independent Claim 6. Chow discusses operating methods for a wireless subscriber terminal in a WLAN. However, Chow does not teach or suggest the amended elements of pending amended Claim 6. Thus, the combination of Carrell, Eyuboglu, and Chow cannot render obvious Claim 6 and its respective dependent claims because all of the Claim 6 elements are not taught or suggested by the combination. Applicant respectfully requests reconsideration and withdrawal of the rejection of pending Claim 9 which depends on patentably distinct Claim 6.

Claims 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable under 35 U.S.C. § 103(a) as being unpatentable over Carrel et al.

(U.S. Patent Serial No. 7,269,182), hereinafter referred to as “Carrel”, in view of Eyuboglu et al. (U.S. Patent Publication No. 2003/0026240) hereinafter referred to as “Eyuboglu”, in further view of Khan et al. (U.S. Patent Publication No. 2002/0143951) hereinafter referred to as “Khan”. Applicant respectfully traverses the rejection.

Claims 10-12 are dependent on amended independent Claim 6. Khan discusses a system of multicast to unicast bridging. However, Khan does not teach or suggest the amended elements of pending amended Claim 6. Thus, the combination of Carrell, Eyuboglu, and Khan cannot render obvious Claim 6 and its respective dependent Claims 10-12 because all of the Claim 6 elements are not taught or suggested by the combination. Applicant respectfully requests reconsideration and withdrawal of the rejection of pending Claims 10-12 which depend on patentably distinct Claim 6.

Conclusion

Applicant respectfully submits that the pending claims patentably define over the cited art and respectfully requests reconsideration, withdrawal of all rejections of the pending claims, and continued examination. Applicant respectfully requests reconsideration for a Notice of Allowance for all pending claims based on the amendments and arguments presented above.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefore.

Respectfully submitted,
Ingo Hunter

Date: July 11, 2011

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